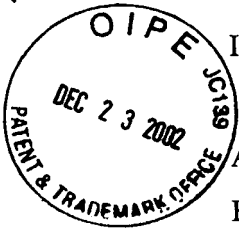


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re application of:

Manthorpe *et al.*

Appl. No. 09/839,574

Filed: April 23, 2001

For: **Compositions and Methods for *in vivo* Delivery of Polynucleotide-Based Therapeutics**

Confirmation No. 1437

Art Unit: 1635

Examiner: Schnizer, R.

Atty. Docket: 1530.0180002/EKS/EJH

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Third Supplemental Information Disclosure Statement

Commissioner for Patents
Washington, D.C. 20231

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this Third Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' First Supplemental Information Disclosure Statement filed on February 27, 2002 in connection with the above-captioned application. A copy of each document is also provided.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered. This statement should not be construed as a representation that a search

has been made, or that information more material to the examination of the present patent application does not exist.

This Third Supplemental Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application. This Third Supplemental Information Disclosure Statement is the second of two Supplemental Information Disclosure Statements filed on the same day. It is believed that only one fee under 37 C.F.R. § 1.17(p) is required to cover both submissions. That fee is included with the Second Supplemental Information Disclosure, which is being submitted electronically, since it is expected to be processed first.

Consideration of the cited documents and making the same of record in the prosecution of the above-identified application is respectfully requested. The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



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Date: December 23, 2002

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